

MILPERSMAN 1600-070

DECLARATION OF RETURN FROM DESERTION

Responsible Office	NAVPERSCOM (PERS-68)	Phone:	DSN	882-4451
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References	18 U.S.C. 922 DODD 1325.2 of 2 Aug 2004
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1. Procedures

a. MILPERSMAN 1600-050 provides actions to be taken upon return of a deserter to military control. The activity to which a member returns will submit **DD 616 (Rev. 12-99), Report of Return of Absentee** to all recipients of **DD 553 (Rev. 5-04), Deserter/Absentee Wanted by the Armed Forces** as detailed in MILPERSMAN 1600-060, and the following message to report the member's return to military control. This message must be submitted even if the deserter has been (or will be) discharged.

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FROM: (Originating activity)
TO: COMNAVPERSCOM DET NAVABSCOLLINFOCEN
    GREAT LAKES IL//001//
    (Member's parent command)
INFO: COMNAVPERSCOM MILLINGTON TN//PERS-68//
    EPMAC NEW ORLEANS LA//JJJ//
    DFAS CENTER CLEVELAND OH//JJJ//
    FISC CHEATHAM ANNEX WILLIAMSBURG VA//JJJ//
BT
UNCLAS//N01626//
SUBJ: REPORT CONTROL SYMBOL BUPERS 1600-2, RETURN OF DESERTER
NAVPERSCOM (PERS-68)//
MSGID/GENADMIN/(Originator)//
POC/Name/Rate or Rank/Telephone//
RMKS/1. (Member's rate, full name, branch, SSN)
2. DESERTER FROM (command) SINCE (time and date).
3. (Apprehended/Surrender) BY/TO (military/civilian
authorities) AT (time and date) AT (location).
4. RETURNED MIL CONTROL (time and date) AT (location).
5. RETAINED ON BOARD FOR (disciplinary action/disposition/
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pending return to parent command/or transfer to (activity)).
6. NOK/READINESS COMMAND STAFF CHAPLAIN HAVE BEEN NOTIFIED OF MEMBER'S RETURN TO MILITARY CONTROL. (If not, expected date of notification or intentions, e.g., parent command to notify.)
7. REMARKS: (as appropriate)//
BT

b. The deserter's parent command to which they are assigned for disciplinary action or disposition is responsible for completing NAVPERS 1070/606 (Rev. 10-02), Record of Unauthorized Absence.

c. In addition to those actions listed in MILPERSMAN 1600-050:

(1) **Surrenderrees.** Members who surrender will not be placed in civilian jails. Commander, Navy Personnel Command (COMNAVPERSCOM) (PERS-68) or Officer in Charge, Navy Absentee Collection and Information Center (NACIC) may grant an exception in unusual circumstances.

(2) **Apprehendees**

(a) Commands will not pick up or escort deserters unless authorized by NACIC. NACIC will determine disposition and transport/coordinate with the nearest shore patrol if an escorted local move is required. Do not accept deserters from civilian authorities until approval is obtained from NACIC.

(b) If member is being held by civil authorities for civil charges, NACIC must be advised. NACIC will issue a military detainer and arrange escorts upon their return to military control. If the deserter is convicted and sentenced to confinement, NACIC will assign responsibility of the member's case to an area coordinator for review and appropriate action.

d. Per 18 U.S.C. 922 (Brady Bill), Navy is required to notify the Federal Bureau of Investigation (FBI) of the final disposition of all military deserters. In support of this, all Navy activities will forward to NACIC the deserter's final disposition via message within 60 days of the deserter's return. Describe venue (non-judicial punishment or type of court martial), conviction status, list of offenses, list of punishment awarded, charges dismissed, discharge, and characterization. Request for extensions to exceed the 60 days

may be made via message to COMNAVPERSCOM DET NAVABSCOLLINFOCEN
GREAT LAKES IL//001//.

2. Information

a. If a member was declared erroneously, notify NACIC and Defense Finance and Accounting Service (DFAS) Cleveland by message **immediately** to prevent undue financial hardship, and to prevent member from being entered, or to remove member from the FBI National Crime Information Center Wanted Persons File.

b. A declared deserter discharged in absentia, as authorized by COMNAVPERSCOM, is considered returned to military control for administrative purposes the day of discharge. The discharging activity must, however, prepare the Return to Military Control message to clear member from the deserter files. Indicate in the remarks section the authority used for discharge in absentia.

c. It is imperative when a declared deserter is discharged from Navy, placed on the Temporary Disability Retired List (TDRL), or starts Appellate Leave after physically returning to a command, a Return to Military Control Message; DD 214, Certificate of Release of Discharge from Active Duty; or other appropriate documentation reflecting the member's separation from service be transmitted to NACIC. Documentation is required in order to reflect the member accurately in the Enlisted Master File, remove the status of desertion, and clear the warrant for arrest from the National Crime Information Computer (NCIC).